

REMARKS

1. Applicant thanks the Examiner for the Examiner's comments which have greatly assisted Applicant in responding.
2. Specification. The Examiner has stated that the Title is not descriptive. Applicant has replaced the Title with a title that is indicative to which the Claims are directed.
3. 35 U.S.C. §112. The Examiner has rejected Claims 1-25 under 35 U.S.C. §112, second paragraph. Applicant believes that the term "offline provider" is clearly defined as a provider that has a physical brick & mortar retail outlet (page 4, line 25- page 5, line 5). Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §112, second paragraph.
4. 35 U.S.C. §103(a). The Examiner has rejected Claims 1-25 under 35 U.S.C. §103(a) as being unpatentable over Lin et al. in view of Webber et al. and Giovannoli.

Applicant respectfully disagrees.

Claims 1 and 23 appear as follows (emphasis added):

1. A method for providing an integrated electronic list of providers, comprising the steps of:
 - determining at least one online provider for an item;
 - determining at least one offline provider for the item; and
 - integrating the at least one online provider with the at least one offline provider to provide an integrated list of providers for the item.
23. A system for online shopping, comprising:
 - at least one user terminal;
 - at least one database containing information about online and offline providers;
 - means for searching the database and for providing an integrated list of online and offline providers in response to a search request for a selected item;
 - and
 - means for comparing the online and offline providers for the selected item.

In particular, Lin does not teach, disclose, or contemplate a system that provides integrating at least one online provider with at least one offline provider to provide an integrated list of providers for an item as claimed in the invention. Lin does not contemplate such a system.

Further, Webber et al. describes a system where a merchant is connected to user via a network (col. 5, lines 18-24) information is transferred in real time (col. 4, lines 11-18).

Giovannoli does not teach, disclose, or mention that online and offline providers can be integrated into a list of providers for an item. Giovannoli points out that the location of the vendor is important for determination of shipping charges. Giovannoli in col. 7, lines 22-30 states:

“The network computer's filter may time sequence routing of the buyer's request based on the vendor's distance from the buyer's location. This would give vendors with the lowest shipping charges earlier access to the buyer's request and would give the buyer an opportunity to cancel further routings of its request if responses indicate that more distant vendors are not likely to provide more competitive quotes than those already received.”

There is not teaching, suggestion, or motivation in Lin, Webber, or Giovannoli to reach the Office Action's conclusion that “it is obvious for offline merchants either through a consortium or a service to get their product listings online. The searching method as disclosed by Lin would search these products that are listed on the web through these consortiums and services. These consortiums and service have updates to determine the availability of items.” To reach this conclusion would require information gleaned from the present invention. Such use of hindsight is impermissible.

As evidence of the use of hindsight, Lin specifically teaches away from the use of brick & mortar providers by stating in the Abstract:

“Since the information is converted to the standard format in real time, the invention allows quick addition of online merchants and additional product categories can be added quickly and easily.”

Lin further states in the Abstract:

"In accordance with one embodiment, the database of URL information includes URLs specific to site directories at each merchant site so that queries can be easily generated by appending user-provided keywords."

Lin teaches away from the use of offline providers and therefore teaches away from the Office Action's conclusion stated above.

Therefore, neither Lin in view of Webber and Giovannoli teach or disclose all of the claim limitations of the invention.

Claims 1 and 23 are allowable. Claims 2-22, and 24-25 are dependent upon Claims 1 and 23, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

CONCLUSION

Based on the foregoing, Applicant considers the present invention to be distinguished from the art of record. Accordingly, Applicant earnestly solicits the Examiner's withdrawal of the rejections raised in the above referenced Office Action, such that a Notice of Allowance is forwarded to Applicant, and the present application is therefore allowed to issue as a United States patent.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Kirk D. Wong', with a long horizontal line extending to the right.

Kirk D. Wong,
Reg. No. 43,284

Customer number 22862.

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In The Titl

Please change the Title to --METHOD AND SYSTEM FOR INTEGRATED ONLINE
AND BRICK AND MORTAR PROVIDER SHOPPING--